

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/718,024	ALVE ET AL.
	Examiner Jung W. Kim	Art Unit 2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 4 April 2005.
2.  The allowed claim(s) is/are 1-34.
3.  The drawings filed on 16 March 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pg. 12, last paragraph-pg. 13, 1<sup>st</sup> paragraph, filed April 4, 2005, with respect to the 112, second paragraph rejections to claims 10-12 and 22-30 have been fully considered and are persuasive. The 112, second paragraph rejections of claims 10-12 and 22-30 has been withdrawn.

### ***Allowable Subject Matter***

2. Claims 1-34 are allowed.

3. The following is an examiner's statement of reasons for allowance: Applicant's claimed invention discloses a method and apparatus of recording digital data in a recorder, that includes, *inter alia*, an encryption key, a portion of which is stored in the recorder encrypts packets of a digital data stream. The closest prior art of record, Sasamoto USPN 5,912,969 and Reardon USPN 6,212,635 disclose a similar method and apparatus, but does not suggest nor teach individually or in combination the limitation wherein a readout path for retrieving the key portion stored in the recorder is arranged to be disabled by a first irrevocable condition and re-enabled by a second irrevocable condition, the readout path being connectable to an external IC tester, and at least one feature essential for recording and playback functioning of the recorder is arranged to be disabled by the second irrevocable condition. Hence, claims 1-8, 10-20, 22-34 are allowed. Further, neither Sasamoto nor Reardon suggest or teach

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individually or in combination the limitation of a FIFO memory sequentially outputting bytes constituting a packet of the decrypted data stream, wherein: the output of the FIFO memory is mapped to a number of second memory addresses at least equal to the number of bytes comprising a packet; and the second memory addresses are contiguous with the first memory addresses, and wherein control logic loads replacement header bytes into the n highest locations of the random-access memory, where n is the first predetermined number and the control logic reads out the packet by reading a number of the memory addresses equal to the sum of the first and second predetermined numbers commencing from the random-access memory address where the replacement header bytes commence. Hence, claims 9 and 21 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung W. Kim whose telephone number is (571) 272-3804. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jung W Kim  
Examiner  
Art Unit 2132

Jk  
May 2, 2005



GILBERTO BARRON Jr.  
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